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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,616	06/25/2003	Mark Verdijk	VERD3003/JEK	2491
· · · · · · · · · · · · · · · · · · ·	590 07/07/2004	EXAMINER		INER
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			THOMPSON, HUGH B	
			ART UNIT	PAPER NUMBER
			3634	
			DATE MAILED: 07/07/2004	DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.	Applicant(s)	T AU
10/602,616	VERDIJK, MARK	,
Examiner	Art Unit	
Hugh B. Thompson II	3634	
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE $\underline{3}$ MONTH(S) FROM

THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed

after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONEI Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed earned patent term adjustment. See 37 CFR 1.704(b).	is will be considered timely. the mailing date of this communication.				
Status					
1) Responsive to communication(s) filed on <u>25 June 2003</u> . 2a) This action is FINAL . 2b) This action is non-final.					
/					
3) Since this application is in condition for allowance except for formal matters, pro closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 45					
	3 O.G. 213.				
Disposition of Claims					
4) Claim(s) <u>1-11</u> is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.					
6)⊠ Claim(s) <u>1-11</u> is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/or election requirement.					
Application Papers					
 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to by the Examiner. Note the attached Office. 	37 CFR 1.85(a), ected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application 3. Copies of the certified copies of the priority documents have been received application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 	on No d in this National Stage				
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 6-25-03. 4) Interview Summary (Paper No(s)/Mail Date Summary (PTO-948) Paper No(s)/Mail Date 6-25-03.	e				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Skyba #5,109,954. Skyba discloses a ladder comprised of a vertical support 16, V-shaped bracket/rung assembly 20, protruding parts 48a, 48b, 48d, having passages therein, and downward moving wedge shaped element 78.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. D'Acquisto #6,547,035, and Swankie #6,666,456 are cited to teach ladder assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hugh B. Thompson II whose telephone number is (703) 305-0102. The examiner can normally be reached on Monday thru Friday 9 am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hugh B. Thompson II

Art Unit 3634 June 28, 2004

HUGH B. THOMPSON II PRIMARY EXAMINER TECHNOLOGY CENTER 3600